

**KENTUCKY DEPARTMENT OF EDUCATION**

**STAFF NOTE**

**Action/Discussion Item:**

Request from State Consortium on Board Examination Systems districts for waiver of Section (2) of 704 KAR 3:305, Minimum Requirements for High School Graduation

**Applicable Statute or Regulation:**

KRS 156.160 and 704 KAR 3:305

**Action Question:**

Should the Kentucky Board of Education (KBE) grant the State Consortium on Board Examination Systems districts' request for a waiver of 704 KAR 3:305(2)?

**History/Background:**

***Existing Policy.*** KRS 156.160(2)(a) states: "At the request of a local board of education or a school council, a local school district superintendent shall request that the Kentucky Board of Education waive any administrative regulation promulgated by that board. Beginning in the 1996-97 school year, a request for waiver of any administrative regulation shall be submitted to the Kentucky Board of Education in writing with appropriate justification for the waiver."

In 2010, the Kentucky Department of Education joined a consortium of states brought together by the National Council on Education and the Economy (NCEE) to form the State Consortium on Board Examination Systems (SCOBES). This consortium has as its goal to improve the college and career readiness of all students by providing them more focused pathways to postsecondary education by focusing on making sure students are college ready earlier in their learning process and thus providing them with a larger array of options as they enter their second two years of high school. The districts who have signed on to this request are seeking a waiver of the graduation requirements regulation and are proposing to provide an option to complete a parallel set of criteria that leads to college readiness.

Specifically, the districts are requesting to be allowed to have students:

Be considered to have met the high school graduation requirements of 704 KAR 3:305 and may, in accordance with local board policy and having completed at least their second year of high school, be eligible for a high school diploma and admission to an accredited two- or four-year open enrollment college or university. These requirements make up the "lower division" of high school:

- 1) Obtain a qualifying benchmark score, as determined by the Kentucky Board of Education and the Council on Postsecondary Education, after advice from the National Center on Education and the Economy's Technical Advisory Committee, on ACT® Quality Core Assessments in seven content areas:
  - Algebra I and Geometry
  - English I and II
  - Biology and Chemistry
  - U.S. History
- 2) Achieve the status of "college and/or career ready" based on successful completion of one of the pathways outlined in 703 KAR 5:200; students pursuing this alternate pathway to graduation may receive their state-mandated administration of the PLAN assessment and ACT on an accelerated schedule.
- 3) Provide evidence of successful completion, as determined by district policy and approved by the Kentucky Department of Education, of a World History course;
- 4) Provide evidence of successful completion, as determined by district policy and approved by the Kentucky Department of Education, of a performance assessment in one or more of the visual or performing arts or completion of a course that incorporates the arts and humanities content from the Kentucky Core Academic Standards.

A student who pursues this alternative to the credit-based graduation outlined in 704 KAR 3:305 and is successful in completing the requirements at the end of his/her second year of high school, or any time thereafter, shall have two options available to them and shall choose an option after consultation with family, guidance and other counselors, teachers and administrators. Those options are:

- 1) Take advantage of the early graduation option and leave high school and pursue his/her postsecondary education. Choosing this option will result in the student receiving a Kentucky high school diploma; or
- 2) Remain at the high school and pursue an "upper division" of a highly rigorous instructional program (including career pathways programs) that is addressed in local board policy. These programs may contain dual credit and other advanced credit opportunities.

In addition to providing all the requirements listed above for the "lower division, the district agrees to provide the following:

- 1) sufficient "safety-net" programs for students in 9<sup>th</sup> and 10<sup>th</sup> grade who are not succeeding in the "lower division"
- 2) sufficient interventions for 11<sup>th</sup> and 12<sup>th</sup> grade students to improve the likelihood of mastering the lower division requirements prior to the completion of high school
- 3) allowance for any student who has not satisfied the "lower division" requirements to retake the assessment for any of the "lower division" requirements at any future school-specified time as such assessment is being administered

The SCOBES districts agree to keep records showing evidence that these criteria have been met and to make available these records as requested by the KBE. Each district agrees, at the request of the KBE and after an appropriate length of time, to report on the postsecondary success of these students.

**Staff Recommendation(s) and Rationale(s):**

Staff recommends that the KBE approve the SCOBES districts' request for a waiver of 704 KAR 3:305(2). This waiver will allow these districts to pursue instructional programs that provide greater opportunities to engage each individual student in ways that ensure increased numbers of college and career ready students.

**Impact on Getting to Proficiency:**

More students will become college and career ready.

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**Commissioner of Education**

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